

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 26, 33, 37, 39, 45 and 48. Applicant respectfully submits no new matter has been added. Accordingly, claims 26-48 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 26-36, 37-47 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hose (WO 00/04730) in view of DeLorme, et al. (US 5,948,040). The Applicant has amended claims 26, 33, 37, 39, 45 and 48 to more clearly define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

The Applicant has amended claims 26, 33, 37, 39 and 45, claims containing the term "subscriber module", to substitute the term "client" module. Subscriber was meant to describe the client module, but client module is the same and is disclosed and described in the Specification as a module present on the subscriber's mobile station. The client module is interconnected with a business module and provides communication between the mobile station and a business to business (B2B) engine. The client module is capable of automatically generating mobile station location requests and mobile station location update requests (paragraphs 0118, 0124-0125 and 0130). The B2B engine is also capable of automatically updating the ETA and further, is capable of updating reservation information on the business member's reservation system.

The Hose reference is cited for disclosing all elements of claim 1, except for displaying and updating reservation information on a business member's system. The Applicant respectfully submits that Hose does not disclose a client module capable of automatically requesting a mobile station location or a B2B engine that is capable of accessing and updating a business member's reservation system.

The Office Action relies on the teaching of the Delorme reference to overcome the deficiencies of the Hose reference. More specifically, the Office Action asserts that while Hose fails to explicitly teach displaying and updating the reservation, Delorme discloses displaying and automatically updating the reservation at the business member until the arrival of the subscriber. To support this assertion, the Office Action points to fig. 1B-3. This assertion is unfounded for the following reason; the description of fig. 1B-3 discloses alternative outputs of the disclosed TRIPS system with no mention of automatically updating the business member. Instead, the reservation confirmation 147 of Delorme depicts a confirmed restaurant reservation using the TRIPS system do confirm a reservation to the subscriber. However, the Delorme reference does disclose a real time application that provides an estimated time of arrival to the subscriber according to the geographical location of the subscriber (fig. 9). This disclosure is for the benefit of the subscriber though, and there is no indication that the business is automatically informed of changing times of arrival. Automatically updating the business member's reservation as claimed in the Applicant's present invention is not taught or suggested by Delorme.

What is unique to the Applicant's invention, and what is not suggested in the Delorme or Hose references, is the capability of the B2B engine in conjunction with a connected business member module to automatically read and write to the business member's database in real-time through an Internet connection without intervention by the subscriber or the business (restaurant member). Also unique to the Applicant's invention is the automatic real-time updating of the reservation at the business member. The Applicant's invention utilizes a mobile position center to provide a real-time location of the mobile station that is initiated by the mobile station or the B2B engine. In conjunction with the business module, automatically and without input from the subscriber member or the business member, the B2B causes real time reservation information updates to be written to the business member's database. Neither Hose nor Delorme provides real-time information exchange with the business member by writing current information regarding the mobile station to the restaurant's database.

The Applicant has reviewed the description in the Hose reference (Fig. 1), which is cited for disclosing a client logic module (claim 39). The cited portion (fig. 1) of the description in Hose discloses an "enhanced phone." The disclosed parts of the "enhanced phone" consist of a keypad, a data input device (roller ball, arrow keys, touchpad) and a display screen (page10, lines 17-20). The capabilities of the enhanced phone are initiated by the subscriber or user of the enhanced phone. Obviously, the controls utilize a software application to carry out the input commands from the input devices. However, the disclosure is specific in that the subscriber initiates requests and commands via the input devices. There is no teaching or suggestion that the undisclosed software application, or for that matter any application in the enhanced phone, in the Hose reference is capable of checking and updating location without intervention by the subscriber.

Neither the Hose reference nor the Delorme reference discloses a client module that can automatically request a current location or a B2B engine that is capable of automatically updating a business member's reservation system.

Therefore, the Applicant respectfully requests the withdrawal of the rejection of claim 26. Claim 37 is analogous to claim 26 and contains similar limitations and the Applicant respectfully requests the withdrawal of the rejection of claim 37. The respective claims depending from claims 26 and 37 contain the same novel limitations. This being the case, the Applicant also respectfully requests the withdrawal of the rejection of all the depending claims of both amended independent claims.

Prior Art Not Relied Upon

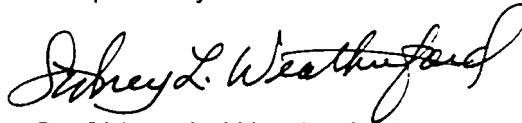
In paragraph 1 on page 10 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in black ink, reading "Sidney L. Weatherford". The signature is fluid and cursive, with the first name "Sidney" being the most prominent.

By Sidney L. Weatherford
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